

MATT BLUNT
Secretary of State
Administrative Rules Division
RULE TRANSMITTAL

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JAN 30 2004

SECRETARY OF STATE
ADMINISTRATIVE RULES

A "SEPARATE" rule transmittal sheet must be used for EACH individual rulemaking.

A. Rule Number 4 CSR 240-13.015
Diskette File Name Word 2000
Name of Person to call with questions about this rule:
Content Lera Shemwell Phone 573-751-7431 FAX 573-751-9285
Data Entry Lera Shemwell Phone 573-751-7431 FAX Same as above
Email Address _____
Interagency Mailing Address Governor Office Building, 200 Madison St., 8th Floor, Jefferson City, MO
Statutory Authority 386.250(6) Current RSMo date 2000
Date Filed With the Joint Committee on Administrative Rules Exempt per Sections 536.024 and 536.037, RSMo 2000, and Executive Order No. 97-97 (June 27, 1997)

B. CHECK, IF INCLUDED:

- | | |
|--|---|
| <input checked="" type="checkbox"/> This transmittal completed | <input type="checkbox"/> Incorporation by reference materials, if any |
| <input checked="" type="checkbox"/> Cover letter | <input type="checkbox"/> Authority with history of the rule |
| <input type="checkbox"/> Affidavit | <input type="checkbox"/> Public cost |
| <input type="checkbox"/> Forms, number of pages _____ | <input type="checkbox"/> Private cost |
| <input type="checkbox"/> Fiscal notes | <input type="checkbox"/> Hearing and comment period |

C. RULEMAKING ACTION TO BE TAKEN

- ☐ Emergency Rulemaking, (check one) ☐ rule ☐ amendment ☐ rescission ☐ termination
MUST include effective date
- ☐ Proposed Rulemaking (check one) ☐ rule ☐ amendment ☐ rescission
- ☒ Order of Rulemaking (check one) ☒ rule ☐ amendment ☐ rescission ☐ termination
MUST complete page 2 of this transmittal
- ☐ Withdrawal (check one) ☐ rule ☐ amendment ☐ rescission ☐ emergency
- ☐ Rule action notice
- ☐ In addition
- ☐ Rule under consideration

D. SPECIFIC INSTRUCTIONS: Please indicate any special instructions (e.g., publication date preference, identify material to be incorporated by reference, or forms included herein).

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RULE TRANSMITTAL (PAGE 2)

E. ORDER OF RULEMAKING: Rule Number _____

1a. Effective Date for the Order

☐ Statutory 30 days

Specific date _____

1b. Does the Order of Rulemaking contain changes to the rule text?

☐ YES

☐ NO

1c. If the answer is YES, please complete section F. If the answer is NO, **STOP** here.

F. Please provide a complete list of the changes in the rule text for the order of rulemaking, indicating the specific section, subsection, paragraph, subparagraph, part, etc., where each change is found. It is especially important to identify the parts of the rule that are being deleted in this order of rulemaking. This is not a reprinting of your order, but an explanation of what sections, subsections, etc. have been changed since the original proposed rule was filed.

(Start text here. If text continues to a third page, insert a continuous section break and, in section 3, delete the footer text. DO NOT delete the header, however.)

NOTE: ALL changes MUST be specified here in order for those changes to be made in the rule as published in the *Missouri Register* and the *Code of State Regulations*.

Add additional sheet(s), if more space is needed.



Commissioners

STEVE GAW
Chair

CONNIE MURRAY

ROBERT M. CLAYTON III

Missouri Public Service Commission

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ROBERT J. QUINN, JR.
Executive Director

WESS A. HENDERSON
Director, Utility Operations

ROBERT SCHALLENBERG
Director, Utility Services

DONNA M. PRENGER
Director, Administration

DALE HARDY ROBERTS
Secretary/Chief Regulatory Law Judge

DANA K. JOYCE
General Counsel

January 30, 2004

Honorable Matt Blunt
Secretary of State
600 West Main Street
Jefferson City, Missouri 65101

Dear Secretary Blunt:

Rule: 4 CSR 240-13.015 DEFINITIONS

CERTIFICATION OF ADMINISTRATIVE RULE

I do hereby certify that the attached is an accurate and complete copy of the order of rulemaking lawfully submitted by the Missouri Public Service Commission on this 30th day of January 2004.

Statutory authority: 386.250, RSMo 2000.

Missouri Public Service Commission Case No.: AX-2003-0574

If there are any questions, please contact:

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Missouri Public Service Commission
200 Madison St.
Post Office Box 360
Jefferson City, Missouri 65102
(573) 751-7434
lerashemwell@psc.state.mo.us

BY THE COMMISSION

Dale Hardy Roberts
Secretary/Chief Regulatory Law Judge

Enclosures: Order of Rulemaking (Seals) (hard copy and electronic copy on diskette).

**Title 4 —DEPARTMENT OF ECONOMIC DEVELOPMENT
Division 240 —Public Service Commission
Chapter 13 —Service and Billing Practices for Residential
Customers of Electric, Gas and Water Utilities**

ORDER OF RULEMAKING

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**SECRETARY OF STATE
ADMINISTRATIVE RULES**

By the authority vested in the Public Service Commission under section 386.250 and section 393.140(11), the Commission withdraws a rule as follows:

4 CSR 240-13.015 Definitions is withdrawn.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on December 1, 2003 (28 MoReg 2140). The proposed rule is withdrawn.

SUMMARY OF COMMENTS: The Commission received only a few comments on the proposed rule. Some of the comments opposed the rule and others were in support. One company said that the definition of applicant should be the same as the definition of customer. The Commission had not made a formal determination of necessity prior to publication of the proposed rule.

RESPONSE: The Commission is withdrawing the rule because it did not make a formal finding of necessity for this particular rule prior to the publication of the proposed rule.